

### State Of Arizona Naturopathic Physicians Medical Board

"Protecting the Public's Health"

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#### Douglas A. Ducey - Governor

Dr. Bruce Sadilek, ND – Chair • Dr. Marianne Marchese, ND – Vice Chair • Dr. Amy Terlisner, ND– Secretary / Treasurer, Dr. John Eldridge, NMD– Physician Member - Mr. Brad H. Logan - Public Member, Ms. Jamie N. Bennett - Public Member

#### **MINUTES - DRAFT**

#### **BOARD MEETING**

Thursday April 9, 2015 • 1:00 p.m. • Basement Conference Room B-1 1400 West Washington • Phoenix, AZ 85007

#### 1. Call to Order by Presiding Officer

Dr. Sadilek called the meeting to order at 1:06 pm. The Executive Director called Roll.

A. Roll call of Board members and establishment of a quorum to conduct meeting.

		SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT
Present	6	X	x - Via Phone	X	X	X	X
Absent	0						

B. Acknowledgement of presence of Board staff and legal counsel.

Dr. Sadilek introduced Mr. Michael Raine, Assistant Attorney General, and

Ms. Gail Anthony, Executive Director.

#### 2. Civility Statement

Dr. Sadilek read the civility statement.

In accordance with the Open Meeting Law, the Board has a civility policy that prohibits any type of disorderly conduct that disrupts the Board from carrying out its business. Those violating this policy will be asked to modify their behavior and act civilly. If the disorderly conduct continues, the person may be removed from the meeting room. (Adopted 11/8/2012)

#### 3. Executive Director Report

**Status of Administrative Operation** 

**Procedural Matters** 

**Summary of Agency Reports** 

**Budget** 

**Current Licensee Numbers** 

**Current Case Numbers** 

There were no questions from the Board members regarding the Executive Director Report. No Action Required by the Board

#### 4. Call to the Public

No member of the public requested to speak.

#### 5. Discussion, Consideration, Possible Action by Board of Consent Agenda

(Any item under consent may be removed for independent discussion and action by a Board Member.)

- C. Declaration of any Conflict of Interest on any Item on the Consent Agenda.
  None Disclosed
- D. Request for Removal of any Consent Agenda Item for independent discussion and possible action by the Board.

**None Requested** 

- E. Discussion, Consideration, Possible Action and by Board of Regular and Executive Session Minutes of February 12, 2015.
- F. Discussion, Consideration, Possible Action by the Board of Request to Retire Medical License.

  Dr. Tara Hickman
- G. Discussion, Consideration, Possible Action by the Board of Medical License(s) / Examination Application

Albornoz-Sanchez, Leah

Bojaj, lena (temporary license issued in accordance with A.R.S. 32-1522.01)

English, Alvina (temporary license issued in accordance with A.R.S. 32- 1522.01)

Garvin, Maggie (temporary license issued in accordance with A.R.S. 32-1522.01)

Lioce, Luca (temporary license issued in accordance with A.R.S. 32-1522.01)

Muhammad, Asia(temporary license issued in accordance with A.R.S. 32-1522.01)

Porter, Kathryn (temporary license issued in accordance with A.R.S. 32-1522.01)

#### H. Discussion, Consideration, Possible Action by the Board of Renewal of Medical License

Cornman, Daphne

Dunbar, Ross

McAllister, Heath

# 1. Discussion, Consideration, Possible Action by the Board of Application(s) for Certificate to Dispense (initial)

Cook, Tracey

Espinol, Raquel

Feria, Lilia

Garvin, Maggie

Porter, Kathryn

Seder, Jeffrey

Walsh, Bridget

Wooten, Tracy

# J. Discussion, Consideration, Possible Action by the Board of Application(s) for Renewal of Certificate to Dispense.

Brown, Joseph

Ehrlich, Steven

Robinson, John

Rodriguez, Yolanda

# K. Discussion, Consideration, Possible Action by the Board of Application(s) for Preceptorship Certificate

Maxson, Cara - Preceptee

# L. Discussion, Consideration, Possible Action by the Board of Application(s) for Initial and Renewal of Medical Assistant Certificate.

Leanna Dixon, Initial Medical Assistant Certificate

# M. Discussion, Consideration, Possible Action by the Board of Application(s) for Initial and Renewal of Certificate to Engage in a Clinical Training Program.

Hoang, Melanie - Renewal

Janson, Michele - Renewal

Johnson, Nick - Renewal

Kaplan, Steve - Initial

Kennedy, Shaun - Renewal

Nichols, George - Renewal

Overbeck, Jennifer - Renewal

Regino, Gabriel - Renewal

Tade, Caroline - Renewal

#### **CONSENT AGENDA VOTE: Items 5 C-M**

Dr. Terlisner pointed out an error in the minutes from February 12, 2015 at 5 (M), where she is listed as making and seconding the motion. Dr. Sadilek made a motion to accept items 5 C-M, with the appropriate change made to the minutes. Seconded by Dr. Terlisner Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

#### 6. Regulatory Matters

- N. Discussion, Consideration, Possible Action by the Board of Investigations and Complaints. (The Board may go into executive session on any of the following items under A.R.S. §38-431.03(A)(2) for discussion of any information made confidential by law.)
  - (1) Dr. Issac Yosef, Case No. 14-018 Investigative Interview

Dr. Yosef was not present at the time this matter was taken into consideration by the Board. Dr. Sadilek stated he had several concerns regarding Dr. Yosef's standard of care in this case and that he may have been purchasing medication for IV use from a source no in compliance with Board Statute. Dr. Terlisner voiced the same concerns and discussed the possibility of issuing a letter of concern. Dr. Marchese agreed with the concerns Dr. Sadilek had voice, and stated she believed disciplinary action was warranted in this matter. Dr. Eldridge stated he was also concerned the physician did not show up for the meeting. Dr. Terlisner made a motion to move to Formal Interview. Seconded by Dr. Eldridge.

		SADILEK	MARCHESE	TERLISNER	ELDRIDGE	LOGAN	BENNETT	Vacant
	VOTE	Chair	Vice Chair	Sec. /Tres.				
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

Dr. Yosef presented to the Board meeting after the Board had voted the matter for Formal Interview, stating the reason for his delay was because he was seeing a patient. The Board decided to give the Respondent the opportunity to discuss at this time.

Dr. Marchese made a motion to Resend the previous vote regarding this matter. Seconded by Mr. Logan. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

Respondent stated the Apothecary in Switzerland where he purchases the IV medication is approved by the FDA, and he will provide proof to the Board. Respondent stated he understood that the electrodermal testing is not FDA approved for diagnosis. Respondent stated he did not take the patient temperature. Respondent stated he prescribed Thyroid medication based on his history with no lab testing. Respondent diagnosed possible Valley Fever, however did not require a chest x-ray or lab testing. Dr. Sadilek made a motion to move the matter to Formal Interview and requested documentation that the pharmacy in Switzerland is FDA approved. Dr. Marchese stated she wants documentation of approval directly from the FDA. The motion was seconded by Dr. Terlisner. Motion Carried.

	***	SADILEK	MARCHESE	TERLISNER	ELDRIDGE	LOGAN	BENNETT	Vacant
	VOTE	Chair	Vice Chair	Sec. /Tres.				
Yes	4	X	X	X			X	
No								
Abstain	2				X	X		
Absent								
Vacant	1							X

#### (2) Dr. Ramon Esquerdo, Case No. 14-017 - Investigative Interview

The Executive Director informed the Board she had received notice shortly before the meeting that the Respondent was ill and would not be attending today. Dr. Terlisner made a motion to move the matter forward to Formal Interview. Dr. Marchese pointed out that in this case, the complaint was received from an emergency room physician who may not understand the scope of practice of Naturopathic Physicians in Arizona, and the patient did not complain.

Dr. Terlisner stated she had concerns and wanted the opportunity to ask questions of the Respondent. Dr. Eldridge stated he would like to table he matter. After discussion, Dr. Terlisner made a motion to move the matter to Formal Interview. Seconded by Dr. Marchese. Motion Carried

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

#### (3) Dr. Angela Darragh, Case No. 15-002 - Investigative Interview

Dr. Darragh was present. She stated at the time of the DUI/Speeding arrest, she had been going through a period of grief; she now has a very good support system, along with counseling and states this type of situation will not happen again. Dr. Sadilek advised Dr. Darragh to finish up her payment of fines to Maricopa County and any rehab, etc. which may have been ordered by the court. Dr. Sadilek made a motion to dismiss. Seconded by Dr. Terlisner. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

#### (4) Dr. Don Selvey, Case No. 15-001 - Investigative Interview

Dr. Selvey was not present. Dr. Sadilek made a motion to move the matter to Formal Interview. Seconded by Dr. Terliser. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

## 7. Discussion, Consideration, Possible Action by the Board Regarding Application(s).

### (A) Chad Triscuit, Application for License by Endorsement.

Dr. Terlisner stated she believes the applicant meets the requirements for licensure by Endorsement, and made a motion to approve the application. Seconded by Dr. Marchese. Dr. Marchese stated his history of DUI was taken into consideration at the time of Board review for Clinical Training. No further action needs to be taken regarding the arrest. Motion Carried.

	T.O.T.	SADILEK	MARCHESE	TERLISNER	ELDRIDGE	LOGAN	BENNETT	Vacant
	VOTE	Chair	Vice Chair	Sec. /Tres.				
Yes	5		X	X	X	X	X	
No	1	X						
Abstain								
Absent								
Vacant	1							X

### (B) Marie De Soler, Application for License by Endorsement.

Ms. De Soler was present. Dr. Terlisner made a motion to deny licensure because the application requirements have not been met. Seconded by Mr. Logan. Motion Carried.

		SADILEK	MARCHESE	TERLISNER	ELDRIDGE	LOGAN	BENNETT	Vacant
	VOTE	Chair	Vice Chair	Sec. /Tres.				
Yes	5	X		X	X	X	X	
No								
Abstain	1		X					
Absent								
Vacant	1					•		X

### (C) Michael Allen, Application for Licensure Reinstatement.

Mr. Allen was not present. The applicant failed to renew his State of Arizona Naturopathic Medical license approximately two years ago. As evidenced by his statement he has not practiced naturopathic medicine in Arizona since 1978 and briefly in 1984, and he is currently licensed as a Doctor of Chiropractic in the State of California, and does not hold a Naturopathic License in California. Dr. Marchese made a motion to deny reinstatement of the expired license based on A.R.S. 32-15-26(H). Seconded by Dr. Terlisner. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	

No					
Abstain					
Absent					
Vacant	1				X

#### (D) Michelle McConnell, Application for License by Examination.

Ms. McConnell was present. The applicant disclosed a prior arrest for Possession of Marijuana in March of 2009. The Executive Director indicated this matter had been originally considered by the Board during the application review for certificate to engage in a clinical training program. Dr. Sadilek made a motion to approve the application for medical license. Seconded by Dr. Eldridge. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

#### (E) Cecilia Granado, Application for Medical Assistant.

Ms. Granado was present. The applicant disclosed a prior arrest for DUI in 2013. Dr. Sadilek asked Ms. Granado if she had completed all court ordered testing. Ms. Grando acknowledged she had completed MADD on 8/4/2014 and the Arizona Behavioral counseling Level I Substance Abuse Treatment program on 11/2/2014. Dr. Sadilek made a motion to approve the application for medical assistant. Seconded by Dr. Eldridge. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

#### (F) Rebecca Gustavson, Application for License by Examination.

Ms. Gustavson was not present. The applicant indicated a prior DUI arrest in 1989. The Executive Director indicated this matter had been originally considered by the Board during the application approval for preceptorship training. Dr. Sadilek made a motion to approve the application for medical license. Seconded by Dr. Eldridge. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

### (G) Cara Maxson, Application for License by Endorsement.

Ms. Maxson was not present. Dr. Marchese stated the applicant had followed the typical time line for a person who would be applying for licensure by endorsement. Applicant attended National College of Naturopathic Medicine and graduated in June of 2014. During the last three years of College, Applicant attended a clinical training program. Applicant received a license in the State of Oregon and became certified by the State of Arizona Naturopathic Physicians Medical Board as a preceptee. Dr. Marchese stated she believes the applicant meets the qualifications for licensure by endorsement, and made a motion to accept the application. Seconded by Dr. Terlisner. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								
Vacant	1							X

8. Discussion, Consideration, Possible Action by the Board on Request for Public Records in reference to R4-18-904. Pursuant to A.R.S. §38-431.03 (A) (3), the Board may vote to hold an executive session for legal advice for any matter on the agenda. The executive session will not be open to the public.

Dr. Marchese made a motion to go into Executive Session for Legal Advice. Seconded by Mr. Logan. Motion Carried.

	VOTE	SADILEK Chair	MARCHESE Vice Chair	TERLISNER Sec. /Tres.	ELDRIDGE	LOGAN	BENNETT	Vacant
Yes	6	X	X	X	X	X	X	
No								
Abstain								
Absent								•
Vacant	1							X

The Board returned to Regular session at 2:25

The Board took a 5 Minute break and returned to session at 2:35.

No action was taken or required by the Board on item (8).

9. Discussion, Consideration Possible Action by the Board Regarding Legislative Update
The Executive Director gave a brief summary of the status of HB 2035 and HB 2036. No action
was taken or required by the Board on item (9).

ADJOURNMENT THE BOARD ADJOURNED AT 3:20 PM.